
Judiciary Committee

HB 2704

Title: An act relating to considering vehicular assault and vehicular homicide convictions from other jurisdictions under the felony drunk driving law.

Brief Description: Considering vehicular assault and vehicular homicide convictions from other jurisdictions under the felony drunk driving law.

Sponsors: Representatives Lantz, Goodman, Hurst, Warnick, O'Brien, Kirby, Williams, Darneille, Takko, Blake, Rodne, Quall, Moeller, Sells, Morrell, Miloscia, McDonald, Loomis, Simpson, VanDeWege, Ericks, Kelley and Rolfes.

Brief Summary of Bill

- Increases drunk driving to a class C felony if the defendant has a prior out-of-state conviction for an offense that is comparable to Vehicular Homicide by Intoxicating Liquor or Drug or Vehicular Assault by Intoxicating Liquor or Drug.

Hearing Date: 1/30/08

Staff: Jim Morishima (786-7191).

Background:

Drunk driving, or Driving Under the Influence (DUI), actually consists of two similar offenses: Driving Under the Influence of Intoxicating Liquor or Any Drug and Being in Actual Physical Control of a Motor Vehicle While Under the Influence of Intoxicating Liquor or Any Drug.

A person is guilty of DUI if he or she drives a vehicle, or is in actual physical control of a vehicle, and:

- The person has, within two hours of driving, an alcohol concentration of 0.08 or higher; or
- The person is under the influence of, or affected by, intoxicating liquor or any drug (or combination thereof).

DUI is a class C felony (seriousness level V) if the person has four or more prior convictions for DUI or a prior conviction for Vehicular Homicide by Intoxicating Liquor or Drug or Vehicular

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Assault by Intoxicating Liquor or Drug. DUI is a gross misdemeanor under any other circumstances.

Summary of Bill:

DUI is a class C felony (seriousness level V) if the person has a prior out-of-state conviction for an offense that is comparable to Vehicular Homicide by Intoxicating Liquor or Drug or Vehicular Assault by Intoxicating Liquor or Drug.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.